

**UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF FLORIDA  
ORLANDO DIVISION  
www.flmb.uscourts.gov**

**In re:**

**CASE NO. 6:15-bk-03459-CCJ**

**TIRECO, INC.,**

**CHAPTER 11**

**Debtor.**

**/**

**APPLICATION OF TIRECO, INC.,  
TO EMPLOY JUSTIN M. LUNA AND THE LAW FIRM OF  
LATHAM, SHUKER, EDEN & BEAUDINE, LLP,  
AS DEBTOR'S COUNSEL, *NUNC PRO TUNC* TO APRIL 21, 2015**

**TIRECO, INC.**, debtor and debtor-in-possession (“Debtor”), hereby seeks authorization to employ Justin M. Luna and the law firm of Latham, Shuker, Eden & Beaudine, LLP, (“Latham Shuker”) as its counsel in this case, *nunc pro tunc* to April 21, 2015, and, in support thereof, states:

1. On April 21, 2015, the Debtor filed its voluntary petition for reorganization under Chapter 11 of the Bankruptcy Code (the “Code”). No trustee has been appointed, and the Debtor is administering its case as a debtor-in-possession.

2. The Debtor is a Florida corporation formed on or about July 1997, to own an automotive tire service and repair center. The Debtor does business as “Formula Tire and Auto Care”, its registered fictitious name, and is located at 2600 West State Road 434, Longwood, Florida 32779 (the “Retail Store”). The Debtor also owns the real property upon which the Retail Store is located (the “Real Property”).

3. As of the Petition Date, Mr. J. Michael Jones is the president and sole shareholder, and Monica Jones is the Debtor’s vice president. The Debtor has no other officers or directors.

4. The Debtor desires to employ Latham Shuker, under § 327(a) of the Bankruptcy Code, to assist the Debtor in its bankruptcy case.

5. The Debtor has selected Latham Shuker because:

(a) partners and associates of Latham Shuker have substantial experience in rendering the types of legal services that will be required in this case;

(b) partners and associates of Latham Shuker are admitted to practice in this Court; and

(c) Latham Shuker will be able to efficiently and cost-effectively render services necessary in this Chapter 11 case.

6. In the continuation of the Debtor's estate and in the administration of this case, legal services will be required as to, but not limited to, the following;

(a) advising as to the Debtor's rights and duties in this case;

(b) preparing pleadings related to this case, including a disclosure statement and a plan of reorganization; and

(c) taking any and all other necessary action incident to the proper preservation and administration of this estate.

7. Latham Shuker has represented the Debtor since August 2014 in connection with negotiations with the Debtor's secured creditors and preparation and filing of the voluntary petition under Chapter 11 of the United States Bankruptcy Code ("Code") and preparation of related initial pleadings in this case.

8. Except as stated below, Latham Shuker does not represent, the individual interests of any other officer, director, or shareholder of the Debtor. Latham Shuker previously represented J. Michael Jones and Monica Jones, individually, as well as the Debtor, in the foreclosure action

brought in 18<sup>th</sup> Circuit Court in and for Seminole County, Florida by TD Bank, N.A., Case No. 2014-CA-002097-14C-W (“TD Bank Action”).

9. To the best of Debtor’s knowledge, Latham Shuker has no connection with the creditors, any other party-in-interest, its respective attorneys and accountants, the United States Trustee, or any persons employed by the United States Trustee.

10. The undersigned is not aware of any conflict or potential conflict relating to the employment of Latham Shuker as counsel for Debtor-in-Possession in this case, does not hold any interest adverse to the Debtor’s estate; and believes it is a “disinterested person” as defined within § 101(14) of the Bankruptcy Code.

11. The terms of employment agreed to between the Debtor and Latham Shuker, subject to approval of the Court, are that services will be billed at the standard hourly rates of the respective attorneys and paralegals of Latham Shuker, which rates range from \$525 for its most experienced attorneys to \$105 for its most junior paraprofessionals and are subject to periodic adjustment to reflect economic and other considerations. Latham Shuker will apply its advance fee to its periodic billings subject to interim and final applications for compensation and approval by the Court, and, at an appropriate time, Latham Shuker may make application for an award of additional compensation; and the Debtor, subject to Court approval, shall be responsible for all fees and expenses incurred by Latham Shuker.

12. Prior to the commencement of this case, the Debtor paid an advance fee of \$10,614.00 for post-petition services and expenses in connection with this case.

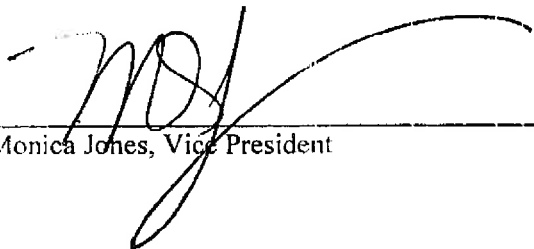
13. Debtor has paid Latham Shuker \$14,603.00, on a current basis, for services rendered and costs incurred prior to commencement of this case, including workout negotiations

with its secured creditors, the preparation of the petition for reorganization under Chapter 11 of the Code, all related initial pleadings filed in this case, and prepetition expenses in this case, including the filing fee for the voluntary petition.

**WHEREFORE**, Tireco, Inc., respectfully requests the entry of an order authorizing it to retain and employ Justin M. Luna and the law firm of Latham, Shuker, Eden & Beaudine, LLP, as its bankruptcy counsel in this case, *nunc pro tunc*, to April 21, 2015, and for such other and further relief as is just and proper in the circumstances.

**RESPECTFULLY SUBMITTED** this 1st day of May 2015.

**TIRECO, INC.**

  
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Monica Jones, Vice President

**UNITED STATES BANKRUPTCY COURT  
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**CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that a true copy of the **APPLICATION OF TIRECO, INC, TO EMPLOY JUSTIN M. LUNA AND THE LAW FIRM OF LATHAM, SHUKER, EDEN & BEAUDINE, LLP, AS DEBTOR'S COUNSEL, NUNC PRO TUNC TO APRIL 21, 2015**, together with any exhibits, has been furnished either electronically and/or by U.S. First Class, postage prepaid mail to: Tireco, Inc., Attn: Monica Jones, 2600 W SR 434, Longwood, FL 32779; Michael A. Nardella, Esq., a/f TD Bank N.A., Burr & Forman LLP, 200 S. Orange Avenue, Suite 800, Orlando, Florida 32801 the 1007-2 Parties-in-Interest list, as shown on the matrix attached to the original of this application filed with the Court; and the U.S. Trustee, 400 W. Washington Street, Suite 1100, Orlando, Florida 32801, this 1~~st~~ day of May 2015.

\_\_\_\_\_  
Justin M. Luna

Florida Bar No. 0037131

[jluna@lseblaw.com](mailto:jluna@lseblaw.com)

[bknotice1@lseblaw.com](mailto:bknotice1@lseblaw.com)

Christopher R. Thompson

Florida Bar No. 0093102

[cthompson@lseblaw.com](mailto:cthompson@lseblaw.com)

[bknotice1@lseblaw.com](mailto:bknotice1@lseblaw.com)

**LATHAM, SHUKER, EDEN & BEAUDINE, LLP**

111 N. Magnolia Ave., Suite 1400

Orlando, Florida 32801

Telephone: (407) 481-5800

Facsimile: (407) 481-5801

*Attorneys for Debtor*

Don Reid Ford  
1875 S. Orlando Ave.  
Maitland, FL 32751-6668

Holler Honda  
P.O. Box 1720  
Winter Park, FL 32790-1720

Seminole City Water & Sewer  
P.O. Box 958443  
Lake Mary, FL 32795-8443

TD Bank, N.A., a national banking association  
c/o Michael A. Nardella, Esquire  
Burr & Forman LLP  
200 S. Orange Avenue, Suite 800  
Orlando, FL 32801-6404

Eric S Golden +  
Burr & Forman LLP  
200 S. Orange Avenue, Ste 800  
Orlando, FL 32801-6404

Justin M. Luna +  
Latham, Shuker, Eden & Beaudine, LLP  
P.O. Box 3353  
Orlando, FL 32802-3353

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